IN RE: PETITION FOR SPECIAL EXCEPTION S/S Days Cove Rd., 5600 ft. E of c/l Pulaski Highway 320 Days Cove Road 11th Election District

Petitioners

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY 5th Councilmanic District \* CASE No. 93-428-X Legal Owner: Baltimore County Contract Purchaser: Ram Mobile Data USA Ltd. Partnership

\*\*\*\*\*

## MEMORANDUM OPINION

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 320 Days Cove Road in the White Marsh section of Baltimore County. The Petition is filed by the property owner, Baltimore County, a body politic, and its lessee, Ram Mobile Data USA Ltd. Partnership (hereinafter "Ram Mobile"). The Petition seeks approval for a wireless transmitting and receiving facility on the subject site, to be operated by a private corporation, Ram Mobile.

Appearing at the public hearing was Michael A. Stripeikis, on behalf of Ram Mobile. Also appearing at the public hearing was Thomas A. Kieffer, a Registered Landscape Architect in the State of Maryland. Mr. Kieffer is employed with Ben Dyer Associates, Inc., the engineering firm which pre pared the site plan. This plan has been accepted into the record as Petitioner's Exhibit No. 1. The Petitioners were represented by G. Scott Barhight, Esquire. There were no Protestants present.

Testimony and evidence presented was that the subject site is located near the intersection of Days Cove Road and Allender Road in White Marsh. The actual area of the proposed special exception is .6828 acres. Presently, the site is improved with a 290 ft. high communications tower, an equipment building serving same, an access road, and fencing. The tower was con-

structed by Baltimore County as part of the County's emergency communication system. The tower is used to foster communications in the County's emergency network and to meet the needs of the Police and Fire Departments. The site is zoned R.C.2.

The co-Petitioner, Ram Mobile, has contracted with Baltimore County to lease a small area of the site and tower. Ram Mobile specializes in cellular communications. Although Ram Mobile is not involved in the cellular telephone industry, similar technology is employed by the company to provide transmission of computer data and similar information. Ram Mobile proposes to install two 12 ft. long antennas on the top of the existing tower. These antennas will serve as part of Ram Mobile's cellular communication network throughout the County and State of Maryland. Further, a proposed 10 x 8 ft. equipment building will be constructed at the base of the tower. Ram Mobile's communication line will run from the building up through the interior of the tower and terminate at the antennas on the top thereof. As is the case with many of these communication towers, the facility will be unmanned. However, routine maintenance will be occasionally performed by a Ram Mobile employee. The private communications received and relayed by the antenna from Ram Mobile's customers will not interfere with the public communications network of Baltimore County. That is, the communication frequencies are compatible with one another. Further, clearly, Ram Mobile's use is not for any public purpose or in furtherance of any governmental function. Ram Mobile is a private corporation in business to make a profit for its stockholders by providing cellular communication services to the public.

On the same date that a public hearing was held on the proposed Petition for Special Exception, in this case, the Petitioners came before this

-2-

office on two companion cases. In each instance, Ram Mobile has filed a Petition for Special Exception seeking approval of a wireless transmitting and receiving facility. Further, in each instance, Ram Mobile was proposing to place its antennas on an existing tower owned and operated by Baltimore County. Further, the related improvements, including the proposed 10 x 8 ft. service building, were the same in each case.

In case No. 93-427-X, I comprehensively addressed the issue relating to Baltimore County's immunity from its own zoning regulations and the nature and scope of the proposed special exception. I concluded that only Ram Mobile's improvements were the subject of the Petition for Special Exception. Further, I determined that Ram Mobile's application was exempt from the requirement set forth in Section 502.7.C.1 through 5 of the Baltimore County Zoning Regulations (B.C.Z.R.). Further, I noted that the Petitioner had complied with the requirements of Section 502.7.C.6 through 9 of the B.C.Z.R.; however, had failed to submit an environmental impact statement as required by Section 502.7.C.10. Owing to the similarity of the facts presented in the instant case with those presented in case No. 93-427-X, I am persuaded that my reasoning therein should be applied to this case. Thus, as required in case No. 93-427-X, I shall require the Petitioner to submit a written environmental impact statement within thirty (30) days. My reasons for requiring the submission of said statement are fully set forth in the aforementioned Memorandum Opinion. That Opinion, as applicable to the facts in this case, is incorporated herein as if fully restated.

Further, it should be noted that based upon the uncontradicted evidence and testimony presented, I am persuaded that the Petitioner has met its burden and that the special exception should be granted. Thus, the

-3-

said special exception will be granted following the receipt of the required environmental impact statement assuming, of course, that said statement does not state that Ram Mobile's proposed improvements will be detrimental to the health, safety or general welfare of the locale.

I shall hold this matter sub curia for a period of 30 days. Within that time, a written environmental impact statement shall be prepared and submitted. Thereafter, a decision shall be rendered on the Petition in accordance with the full record of this case.

DATE:  $\frac{7/24/93}{}$ 

Zoning Commissioner for Baltimore County

LES:mmn

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MĎ 21204

July 29, 1993

(410) 887-4386

G. Scott Barhight, Esquire Whiteford, Taylor, Preston, etc. 500 Court Towers 210 W. Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Special Exception Case No. 93-428-X Property: 320 Days Cove Road Legal Owner: Baltimore County Contract Purchaser: Ram Mobile Data USA Ltd. Partnership

Dear Mr. Barhight:

Enclosed please find the Memorandum Opinion rendered in the above captioned case. The Petition for Special Exception has been held in abeyance for the reasons set forth in the enclosed Opinion. Kindly forward the requested information as required.

Please do not hesitate to contact me should you have any questions in this regard.

> Very truly yours, Lawrence E. Schmidt Zoning Commissioner

cc: Thomas A. Kieffer cc: Mr. Michael A. Stripeiki IN RE: PETITION FOR SPECIAL EXCEPTION S/S Days Cove Rd., 5600 ft. E of c/l Pulaski Highway 320 Days Cove Road 11th Election District 5th Councilmanic District Legal Owner: Baltimore County Contract Purchaser: Ram Mobile Data USA Ltd. Partnership Petitioners

\* BEFORE THE

\* ZONING COMMISSIONER \* OF BALTIMORE COUNTY

\* CASE No. 93-428-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

## \*\*\*\*\*\*\*\*

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 320 Days Cove Road in the White Marsh section of Baltimore County. The Petition is filed by the property owner, Baltimore County, a body politic, and its lessee, Ram Mobile Data USA Ltd. Partnership (hereinafter "Ram Mobile"). The Petition seeks approval for a wireless transmitting and receiving facility on the subject site, to be operated by a private corporation, Ram Mobile.

This matter came in for a public hearing at which the Petitioner was represented by G. Scott Barhight, Esquire. As a result of the testimony and evidence presented at that hearing, a Memorandum Opinion was issued by this office. That Memorandum Opinion tentatively granted the Petition for Special Exception, but required the Petitioner to submit a written Environmental Impact Statement. An Environmental Impact Statement has been received relative to this project. The Statement, which has been included within the case file as a portion of the record of this case, was prepared by EA Engineering, Science, and Technology.

I have reviewed carefully the Environmental Impact Statement, as well as providing a copy of same to Mr. Steve Reekie of the Department of Envinot be detrimental to the health, safety or general welfare of the locale. Thus, the Petition for Special Exception will be and is hereby granted for the reasons set forth in the aforesaid Memorandum Opinion. That opinion is incorporated by reference herein.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 20 day of September, 1993 that, pursuant to the Petition for Special Exception, approval for a wireless transmitting and receiving facility on the above subject site, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein.

> 1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > LAWRENCE E. SCHNIDT Zoning Commissioner for Baltimore County

ORDE Dete

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

September 9, 1993

G. Scott Barhight, Esquire Whiteford, Taylor, Preston, etc. 500 Court Towers 210 W. Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Special Exception Case No. 93-428-X Property: 320 Days Cove Road Legal Owner: Baltimore County Contract Purchaser: Ram Mobile Data USA Ltd. Partnership

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Lawrence E. Schmidt Zoning Commissioner

Kieffer

cc: Mr. Michael A. Stripeiki

which is presently sened R.C.-2

REVIEWED BY: MTK DATE 6/1/13

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the a Wireless Transmitting and Receiving Facility

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

VWe do solemnly declare and affirm, under the penalties of perjury, that I/we are the Balto County H. Acks, County Attorney Ram Mobile Data JSA Limited Partnership 10 Woodbridge Center Dr. Suite 950 400 Washington ALC 887-4420

Attorney for Petitioner (Type or Print Name)

10 Moodbridge Center Drive 07645

Towson, MD 2120 i

RAM MOBILE DATA FACILITY AT EASTERN LANDFILL

PART OF THE LANDS OF BALTIMORE COUNTY, MARYLAND

**ELECTION DISTRICT NO. 11** 

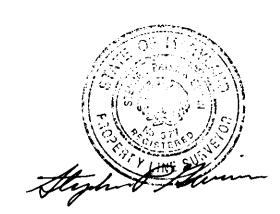
BALTIMORE COUNTY, MARYLAND

Being a strip or parcel of land hereinafter described in, through, over and across the lands of Baltimore County, Maryland, recorded among the Land Records of Baltimore County, Maryland in Liber 6362 at Folio 8.

Beginning for the said strip or parcel of land at a point distant 146.0 feet south of the centerline of Days Cove Road, ± 5,600 feet easterly of the intersection of Days Cove Road and Pulaski Highway, U.S. Route 40 and running thence across the lands of the owners hereto the following four (4) courses

- South 29°00'00" East, 208.00 feet to a point;
- South 61°00'00" West, 143.00 feet to a point;
- North 29°00'00" West, 208.00 feet to a point; and
- North 61°00'00" East, 143.00 feet to the place of beginning, containing 29,744 square feet or 0.6828 of an acre of land.

5Desc.Zoning-Land/rls



CERTIFICATE OF PUBLICATION

6/17,1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive

Zoning Administration & Development Management 111 Vest Champenke Avenue Tonson, Maryland 21201

Account: R-001-6150

Date 6/1/43

Item Wumber 436 Taken In By: MTK

**Iqilese**1

Owner of Hyperty: Balto County Petitioner: RAM mobile inta 300 Days Con Road

# 050 - Special Exception - 11300.00 - 35. OF 335.00

Both County - Para Mobile Date

Location of property: 300 Days Cors Rt. 5/5, \$00" F/Alos Ki Huy

Location of Stone Facing roadway, et on transer To Land Fill From

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

For newspaper advertising:

- 1) Posting fees will be accessed and paid to this office at the
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Item No.: 436 Petitioner: RAM Mobile Date USA Cimital Partnership Location: 326 Days Cou Road PLEASE FORWARD ADVERTISING BILL TO: NAME: Ben Dyer Associates, Inc

ADDRESS: 8/00 P-ofession | Place P.O. 130x 1450 Landour, m2 20785-0450 PHONE NUMBER: (301) 459-120-

AJ:ggs

(Revised 04/09/93)

**Baltimore County Government** Office of Zoning Administration and Development Management

(410) 887-3353

JUNE 11, 1993

111 West Chesapeake Avenue

Towson, MD 21204

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-428-X (Item 436) 320 Days Cove Road S/S Days Cove Road, 5600' E of c/l Pulaski Highway 11th Election District - 5th Councilmanic Legal Onwer(s): Baltimore County Contract Purchaser(s): Ram Mobile Data USA Limited Partnership HEARTING: TUESDAY, JULY 6, 1993 at 2:00 p.m. in Rm. 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

- cc: Ram Mobile Data USA Limited Partnership Ben Dyer Associates, Inc. Jonathan Swiss, Esq.
- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPPAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HAMDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERTING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

TO: PUTUNENT PUBLISHING COMPANY Issue 6/17/93 - Jeffersonian

Den Dyer Associates, Inc. 8100 Professional Place P. O. Box 1450

Please foward billing to:

Landover, Maryland 20785-0450 )301 459-9200

NOTICE OF HEARING

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Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-428-X (Item 436) 320 Days Cove Road S/S Days Cove Road, 5600' E of c/l Pulaski Highmay 11th Election District - 5th Councilmanic Legal Onwer(s): Raltimore County Contract Purchaser(s): Ram Mobile Data USA Limited Partnership HEARING: TUESDAY, JULY 6, 1993 at 2:00 p.m. in Rm. 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLRASE CALL 887-3353. (2) FOR IMPORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Governmen Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

Jonathan Swiss, Esquire

Woodbridge, NJ 07645

10 Woodbridge Center Drive

(410) 887-3353

June 25, 1993

RE: Case No. 93-428-X, Item No. 436 Petitioner: Baltimore County

Contract Purchaser: Ram Mobile Data USA Limited Partnership Petition for Special Execption

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on June 1, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Printed on Recycled Paper

: BEFORE THE ZONING COMMISSIONER

Hal Kassoff

6-17-93

Ms. Helene Kehring Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Baltimore County
Item No.: 4436 (MJK)

TELEPHONE 1-301-459-9200

**TRANSMITTAL** 

: June 1, 1993

Description

Description (sealed)

\$300.00 Filing Fee

Application for Special Exception review.

Petition for Special Exception Forms - signed and filled out

Plan to Accompany Soning Hearing

Official Soning Map (1" = 200')

BEM DYER ASSOCIATES, INC.

FAX# 1-301-459-4361

Dear Ms. Kehring:

8100 PROFESSIONAL PLACE POST OFFICE BOX 1450

Room 109

No. Copies

3 originals

12 prints

3 photocopies

1 photocopy

1 check

PM: TAK

Towson, MD 21204

cc: Mike Stripeikis w/enclosure

LANDOVER, MARYLAND 20785-0450

TO: Office of Zoning Administration

111 West Chesapeake Avenue

and Development Management

BEN DYER ASSOCIATES, INC.

Engineers / Surveyors / Planners

Drawing No.

47.001-Y

\_\_\_\_ Your Pick Up \_\_\_\_

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Hat Small John Contestabile, Chief Engineering Access Permits

My telephone number is \_\_\_\_\_\_ Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717 BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and Development Management

DATE: June 16, 1993

Pat Keller, Deputy Director Office of Planning and Zoning .

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 433, 434, 436 and 437.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

433.ZAC/ZAC1

LAW OFFICES

SEVEN SAINT PAUL STREET BALTIMORE, MARYLAND 21202 TELEPHONE 410-347-8700 FAX 410-752-7092

WHITEFORD, TAYLOR & PRESTON **500 COURT TOWERS** 210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204-4515 410-832-2000 FAX: 410-832-2015

TELEPHONE 202-659-6800 1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2928

868 17TH STREET, NW

WASHINGTON, D.C. 20006-3939

G. SCOTT BARHIGHT

HAND DELIVERED
Lawrence E. Schmidt, Esquire Zoning Commissioner Office of Planning and Zoning Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

RE: Petition for Special Exception Case No. 93-428-X Property: 320 Days Cove Road

Legal Owner: Baltimore County Contract Purchaser: Ram Mobile Data USA Ltd. Partnership

Dear Mr. Schmidt:

proposed Ram Mobile Data facility at the above location consistent with your Order dated July 29, 1993. If I can be of any additional assistance, please feel free to contact me.

Thank you for your kind attention to this matter.

Enclosure

Mr. Michael A. Stripeikis

TELEPHONE 703-836-5742

FAX 703-836-0265

August 27, 1993

2 8 19**93** 

ZONING COMMISSIONER

Enclosed is an Environmental Impact Statement for the

Scott Barhight

cc: Thomas A. Kieffer

PLEASE PRINT CLEARLY Thomas A. Kieffer Hickarl A Strice Kv

•

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 16. 1993

TO: Zoning Advisory Committee

FROM: <u>Jerry L. Pfeifer. Captain</u>
Fire Department

SUBJECT: June 24, 1993, Meeting

#440

No comments

No comments

No comments

No comments

No comments

No comments

Building shall be built in compliance with the 1991 Life Safety Code and the Baltimore

Building shall comply with the applicable sections of the 1991 Life Safety Code and the

Baltimore County Fire Prevention Code.

County Fire Prevention Code.

C/L Pulaski Highway (320 Days OF BALTIMORE COUNTY Cove Rd.), 11th Election Dist., 5th Councilmanic District : Case No. 93-428-X :::::: ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. Peter Max Zimmerman
People's Counsel for Baltimore County Carrie ! Dimiler Carole S. Demilio Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-2188 I HEREBY CERTIFY that on this 22nd day of June, 1993, a copy of the foregoing Entry of Appearance was mailed to H. Emslie Parks, County Attorney, Courthouse, 400 Washington Ave., Towson, MD 21204; and Jonathan Swiss, Esquire, 10 Woodbridge Center Drive, Woodbridge, N.J. 07645. Peter Max Zimmerman

RE: PETITION FOR SPECIAL EXCEPTION

S/S Days Cove Rd., 5600' E of

PETITIONER(S) SIGN-IN SHEET 40 Ben Dyer Associates, Inc. 2100 Professional Pl., Landover, MD 20185 273 UNDEREA SK LYND NOT 07071 ENVERONMENTAL EMPACT STATEMENT FOR RAM MODELE DATA'S PROPOSED MOBILE DATA PACELITY AT DAYS COVEGOPPATOWNS BALTIMORE COUNTY, MARYLAND

#436

STOPHALT MAYEMENT - STOPHANT HIGHWAY ADJUSTE 40 DAYS COVE ROAD EX CHAINLINK PENCE BALTIMORE COUNTY MD - EX 12' 30' CONE PAR - EX 8' HIGH CHANNINK FENCE W/ 3 STRANDS OF BARBED WIRE BALTIMORE COUNTY, MD L-6362/F-08 POINT OF BEGINNING AREA OF OPECIAL EXCEPTION . 29,744 & EXISTING ZONE : R.C.-2 SITE PLAN N35,355 E G5,028 H 569,000 **R.C.2** N 35,000 BALTIMORE COUNTY NORTHEAST LANDFILL #436 ZONING MAP NE 9 K

N 34,000

SCALE 1"=200"

## NOTES

- 1. This zoning application is a Petition for Special Exception for a <u>Wireless</u>
  <u>Transmitting and Receiving Facility</u> as provided for by Section 1AO1.2 -- Use Regulations, and Section 502.7 -- Wireless Transmitting and Receiving Facilities.
- 2. The subject property is zoned R.C.-2 and appears on Zoning Map NEK9 and Tax
- 3. Area of special exception = 29,744 sq. ft. (0.6828 ac.).
- 4. The proposed development program is for the attachment of a 10 meterns to the top of an existing 290' high tower (total height = 300') and the addition of an 8' x 10' x 10' high equipment building and cable connection near the base of the existing tower, all to be within the existing fenced compound, as shown on this
- Election District 11; County Council District 5.
- 6. This site does not lie within the Chesapeake Bay critical area.
- 7. Research indicates that the special exception area is not subject to any previous commercial permits, zoning hearing decisions, nor C.R.G. approvals.
- 8. The proposed use, an unmanned communications facility, requires no off-street parking spaces be provided.
- 9. The special use requirements of this use are contained in Section 502.7 and are addressed as follows:

B. This facility will be mounted to an existing tower that is 290' high.

C. 1. through 5. do not apply because the proposed facility would be mounted on an existing structure over 50' in height.

A. This site is not within one and one-half miles of an existing district on the

Baltimore County Final Historic Landmarks List, nor any of the named

C. 6. through 9. The applicant agrees with the following conditions:

Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times;

When the use is terminated, the structure shall be removed;

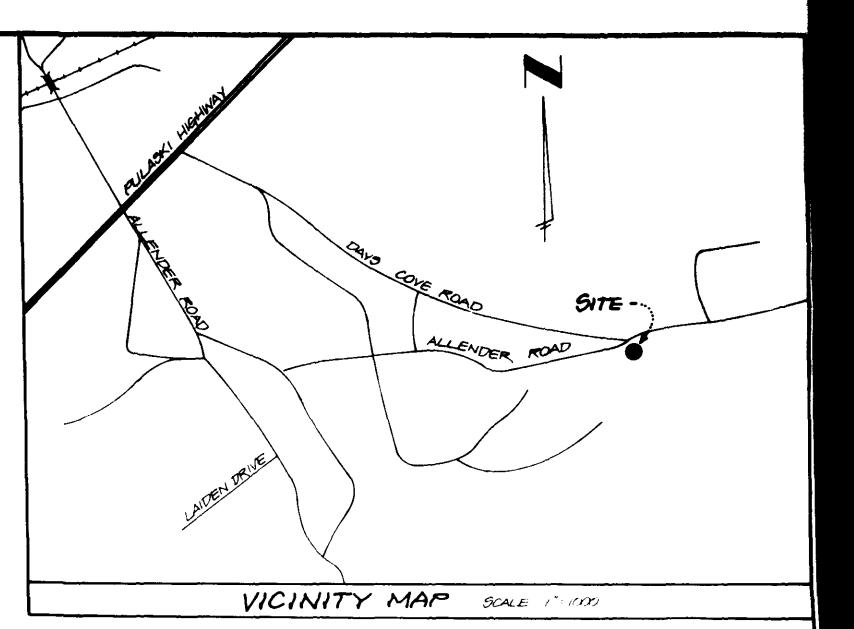
Every five years, or sooner in the event of substantial damage, a certification by a professional engineer registered in Maryland shall be filed with the Department of Permits and Licenses indicating that the aforementioned structure meets all safety requirements. Any upgrading or maintenance required to comply with any changes in the safety requirements, or to maintain the safety thereof, shall be performed prior to the filing of such certification; and

No white stroboscopic lights will be used.

application is not for a tower.

10. and 11. are not applicable because the tower exists already; i.e. this

- 10. The nonresidential principal building setbacks are exceeded by the proposed limits of the special exception area related to the proposed 8' x 10' equipment building.
- 11. Site conditions represented taken from Remote Radio Shelter--Eastern Sanitary Landfill: Site Plan & Sediment Control Plan prepared by STV Engineers Planners and provided by Baltimore County Government (Dwg. No. C-1, latest revision dated 6/21/88); not a field survey.



PETITIONER'S EXHIBIT NOI

PLAN TO ACCOMPANY ZONING HEARING

RAM MOBILE DATA FACILITY AT JOPPATOWNE

(A.K.A. EASTERN SANITARY LANDFILL /ALLENDER ROAD) BALTIMORE COUNTY MARYLAND

BALTIMORE, MD. 21804



				73
			DEN S	LANDOVER, MARYLAND 20785 OYER ASSOCIATES, INC. ors / Surveyors / Pleasers 10NE (301) 459-8298
	D.C.O.D.LO.M.		KME P/3	93,067
DATE	DESCRIPTION REVISIONS	87	MAY (993	47-001-Y

OWNER: BALTIMORE COUNTY 08-9-187 COURT HOUSE